

Document No. 3724
Voted at Meeting of 2/1/79

BOARD OF APPEAL REFERRALS

February 1, 1979

1. Z-4310 Sunmark Industries
 976 Washington Street, Dorchester
2. Z-4312 Anthony F. Muscillo, Jr.
 10 Bradlee Court, Hyde Park
3. Z-4313 Chartell Realty Trust
 1001 Plays Inc. (lessee)
 1211 Commonwealth Avenue, Allston
4. Z-4314 A. W. Perry, Inc.
 112-132 Bedford, 97-99 Summer, 20-26 Kingston
 Streets, Boston
5. Z-4320-4321 John R. Zager, Trustee
 526 Centre Street and 1 Goldsmith Place,
 Jamaica Plain
6. Z-4325-4326 Joseph Pollak Corporation
 179-205 Freeport Street and 6-41 Beach Street,
 Dorchester
7. Z-4333 Dorchester Children's Center, Inc.
 17 Centre Avenue, Dorchester
8. Z-4343 Esther J. Holland
 Speedy Muffler King (lessee)
 451 Centre Street, Jamaica Plain
9. Z-4344 Boston University
 1106-1112 Commonwealth Avenue, Allston

MEMORANDUM

February 1, 1979

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert J. Ryan, Director

SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 2/13/79 Z-4310
 Sunmark Industries
 976 Washington Street,
 Dorchester
 at Gallivan Boulevard
 Gas Service Station

District(s): apartment _____ general business _____ industrial _____
 residential _____ local business L-.5 waterfront _____
 single family _____ manufacturing _____

Purpose: Install underground 8000 gallon
 gasoline storage tank.

Violation(s):

SectionRequiredProposed

8-6 Extension of a conditional use requires
 Board of Appeal hearing.

Tank replacement will preclude leaking of obsolete equipment and comply
 with Fire Department and Federal law requirements. Recommend approval.

VOTED: In reference to Petition Z-4310, brought by
 Sunmark Industries, 976 Washington Street,
 Dorchester, for a conditional use to install
 underground 8000 gallon gasoline storage tank
 in a Local Business (L-.5) District, the
 Boston Redevelopment Authority recommends
 approval. Proposal complies with conditional
 use requirements.



976 WASHINGTON ST

2-4310

(DOR)

Board of Appeal Referrals

2/1/79

Hearing:

2/13/79

Z-4312

Anthony F. Muscillo, Jr.

10 Bradlee Court, Hyde Park

near Bradlee Street

1½ story frame structure.

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family <u>S-.5</u>		manufacturing_____

Purpose: Legalize existing side porch.

Violation(s):

SectionRequiredProposed

19-1. Side yard is insufficient

10 ft.

4 ft.

Condition existing when property was purchased by Petitioner in 1978. Violation has no adverse effect on abutting residence. No opposition. Recommend approval.

VOTED: In reference to Petition Z-4312, brought by Anthony F. Muscillo, Jr., to 10 Bradlee Court, Hyde Park, for a variance to legalize existing side porch in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval. Violation has no adverse effect on abutting residence.



Z-4312
10 BRADLEE COURT
(H.P.)

Board of Appeal Referrals

2/1/79

Hearing: 2/13/79

Petition Z-4313
Chartell Realty Trust
1001 Plays Inc. (Lessee)
1211 Commonwealth Avenue,
Allston

Four-story masonry structure

Near Harvard Street

District(s):	apartment_____	general business B-1_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Change occupancy from five apartments
and retail store to five apartments and
arcade.

Violation(s):

Section

Required

Proposed

23-2. Off-street parking is insufficient.

Arcade use would have a detrimental impact on this area and is
strongly opposed by the community. Recommend denial.

VOTED: In reference to Petition Z-4313, brought by
Chartell Realty Trust, 1211 Commonwealth Avenue,
Allston, for a variance for a change of occupancy
from five apartments and retail store to five
apartments and arcade in a General Business (B-1)
District, the Boston Redevelopment Authority
recommends denial. Arcade use would have a
detrimental impact on this area and is strongly
opposed by the community.



2-4313
1211 COMMONWEALTH AVE

(ALLESTON) STREET

BRIGHTON

PARK VALE

AVENUE

GLENVILLE TERRACE

AVENUE

REEDSDALE

STREET

CHESTER

STREET

FORDHAM

ROAD

ST. LUKE'S

ROAD

AVENUE

AVENUE

CHESTER

STREET

HARVARD TERRACE

HARVARD

FARRINGTON

ASHFORD

SPOTFORD

WEALTH

AVENUE

CITY OF BOSTON
THORNDIKE STREET
DARLINGTON STREET

Board of Appeal Referrals 2/1/79

Hearing: 2/13/79

Z-4314
A. W. Perry, Inc.
112-132 Bedford, 97-99
Summer, 20-26 Kingston Sts.
Boston

Parking Lot

District(s):	apartment _____	general business B-10 _____	industrial _____
	residential _____	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: Continue use of public parking lot for fee.

Violation(s):

Section

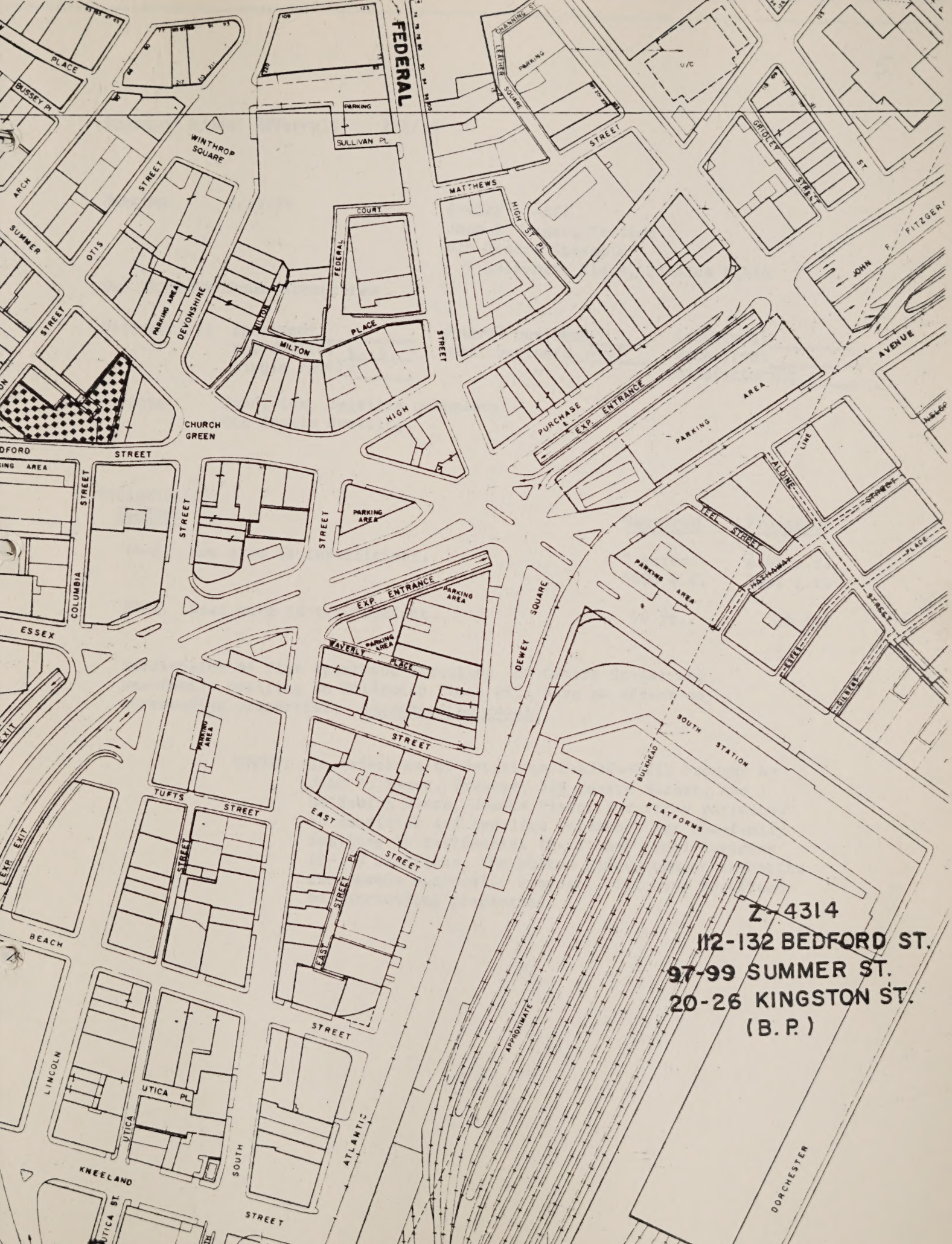
Required

Proposed

8-7. Parking lot is conditional in a restricted parking district.

Lot, with accommodations for 82 cars, has existed since 1973. Previous conditional approval expired March 30, 1978. Staff is amenable to extension of two years terminating March 30, 1980. Recommend approval with provisos.

VOTED: In reference to Petition Z-4314, brought by A.W.Perry, Inc., 112-132 Bedford, 97-99 Summer, 20-26 Kingston Streets, Boston, for a conditional use to continue use of public parking lot for fee in a General Business (B-10) District, the Boston Redevelopment Authority recommends approval with the following provisos: that conditional use terminate on March 30, 1980; that proviso #2 in previous Board of Appeal decision remain in effect.



Z-4314

112-132 BEDFORD ST.
97-99 SUMMER ST.
20-26 KINGSTON ST.
(B.P.)

Board of Appeal Referrals 2/1/79

Hearing: 2/27/79

Z-4320 - 4321

John R. Zager, Trustee

526 Centre Street &

1 Goldsmith Place, Jamaica Plain

Two 2½ story frame structures

District(s): apartment _____ general business _____ industrial _____
 residential R-.5 local business L-.5 waterfront _____
 single family _____ manufacturing _____

Purpose: Subdivide; legalize occupancy -
 One-family dwelling.

Violation(s):

SectionRequiredProposed

14-1. Lot area is insufficient.

2 acres

6749 s.f.

5000 s.f.

3082 s.f.

20-1. Rear yard is insufficient.

40 ft.

24 ft.

Subdivision of five apartment structure on Centre Street and
 one-family dwelling on Goldsmith Place will have no effect on
 surrounding properties. Recommend approval.

VOTED: In reference to Petitions Z-4320-4321, brought by
 John R. Zager, Trustee, 526 Centre Street, and 1
 Goldsmith Place, Jamaica Plain, for three variances
 to subdivide and legalize occupancy for one-family
 dwelling in residential (R-.5) and Local Business
 (L-.5) Districts, the Boston Redevelopment Authority
 recommends approval. Proposal will have no effect
 on surrounding properties.



526 CENTRE ST
1 GOLDSMITH PL.

(U.P.)

274320-21

Board of Appeal Referrals 2/1/79

Hearing: 2/6/79

Z-4325-4326
Joseph Pollak Corporation
179-205 Freeport Street
6-41 Beach Street, Dorchester

Three-story masonry structure.

District(s): apartment _____ general business _____ industrial _____
residential R-.5 local business _____ waterfront _____
single family _____ manufacturing M-1

Purpose: Erect two-story addition to electronics components
assembly structure; combine lots for ancillary parking.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
8-7. Manufacturing of electronic components is forbidden in an R-.5 District.		
8-7. Parking lot is forbidden in an R-.5 District.		
8-7. Ancillary parking is conditional in an M-1 District.		
15-1. Floor area ratio is excessive.		
18-4. Front yard is insufficient.		
19-1. Side yard is insufficient.		

Recent Zoning Commission decision approving changes from Residential to Manufacturing and Local Business Districts, eliminates the forbidden uses. Proposal will provide additional electronic components assembly operation space and parking for 185 cars. No resident opposition. Recommend approval with proviso.

VOTED: In reference to Petitions Z-4324-4326, brought by Joseph Pollak Corporation, 179-205 Freeport and 6-41 Beach Streets, Dorchester, for two forbidden uses, a conditional use and three variances to erect a two-story addition to electronics components assembly structure and combine lots for ancillary parking in Residential (R-.5) and Manufacturing (M-1) Districts, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review. Increased landscaping is required in area adjacent to residences and parking area.



Z-4325-26
179-187 FREEPORT ST.
6-41 BEACH ST.
(DOR.)

Board of Appeal Referrals

2/1/79

Hearing: 2/6/79

Z-4333

Dorchester Children's Center, Inc.
 17 Centre Avenue, Dorchester
 at Centre Street

Three-story frame structure

District(s):	apartment_____	general business_____	industrial_____
	residential R-.8_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Change age of children in group care residence.

Violation(s):

SectionRequiredProposed

7-4 In variance with former decision of Board
 of Appeal.

8-7 Group care residence is conditional in R-.8 District.

Facility provides temporary shelter and foster care for abused-neglected children. Strong community support for the Center and its programs. Recommend approval.

VOTED: In reference to Petition Z-4333, brought by Dorchester Children's Center, Inc., 17 Centre Avenue, Dorchester, for conditional use and a variance to change age of children in group care residence in a residential (R-.8) District, the Boston Redevelopment Authority recommends approval. Community strongly supports this facility and its programs.



J.L. CRONIN
PLAYGROUND

DORCHESTER

214333
CENTRE AVE
(DOR.)

ST. MARY'S
R.C. SCHOOL

ST. MARY'S
R.C. CHURCH

PATRICIA O'HEARN
ELEMENTARY SCHOOL

Board of Appeal Referrals

2/1/79

Hearing: 2/6/79

Z-4343
 Esther J. Holland
 Speedy Muffler King (Lessee)
 451 Centre Street
 Jamaica Plain
 at South Huntington Avenue

Gas Service Station

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business <u>L-.5</u>	waterfront_____
	single family_____		manufacturing_____

Purpose: Erect gas service station and muffler installation structure.

Violation(s):

Section

Required

Proposed

8-7 Gas service station and muffler shop is conditional in an L-.5 District.

Facility of this scale is inappropriate for this neighborhood Business District. Two residential structures immediately abutting proposed repair structure would be adversely affected. Neighborhood opposition is existing. Recommend denial.

VOTED: In reference to Petition Z-4343, brought by Esther J. Holland and Speedy Muffler King, 451 Centre Street, Jamaica Plain, for a conditional use to erect a gas service station and muffler installation structure in a Local Business (L-.5) District, the Boston Redevelopment Authority recommends denial. Facility of this scale is inappropriate for this neighborhood Business District. Two residential structures immediately abutting proposed repair structure would be adversely affected. Neighborhood opposition is existing.



2-4343
461 CENTRE ST.

Board of Appeal Referrals 2/1/79

Hearing: 2/13/79

Z-4344
Boston University
1106-1112 Commonwealth Avenue
Allston
near Brighton Avenue

District(s): apartment _____ general business B-2 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Remove health club equipment and swimming pool; add twenty dormitory apartments.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
8-7. Dormitory is conditional in a B-2 district.		
15-1. Floor area ratio is excessive.	2	3.8

Proposal would increase total apartments to 103. Petitioner states off-street parking can be provided in basement garage.

This temporary off-campus use is not indicated in the University's Draft Master Plan. Policy statement relative to on- and off-campus development has not been submitted.

Building Department Document #2277, March 5, 1975, indicates legal occupancy is 83 apartments.

Community and staff support three-year conditional use for the twenty units.
Recommend approval with provisos.

VOTED: In reference to Petition Z-4344, brought by Boston University, 1106-1112 Commonwealth Avenue, Allston, for a conditional use and a variance to add twenty dormitory apartments in a general business (B-2) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the use be limited to three years; that off-street parking be provided; that property taxes continue to be paid.



Z-4344
1106-1112 COMMONWEALTH AVE
(ALLSTON)